

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
OCTOBER 2, 2006**

The Tippecanoe County Commissioners met on Monday, October 2, 2006 at 10:00 A.M. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President Ruth E. Shedd, and Member KD Benson. Also present were: Auditor Robert A. Plantenga, Commissioners' Assistant Jennifer Weston, County Attorney David W. Luhman, and Secretary Pauline E. Rohr.

President Knochel called the meeting to order. He welcomed third graders from Burnett's Creek Elementary School and asked them to lead the Pledge of Allegiance.

APPROVAL OF MINUTES

- Commissioner Shedd moved to approve the Minutes of the September 12, 2006 Special Joint Meeting with the County Council, the September 18, 2006 Regular Meeting, and the September 25, 2006 Special Meeting as distributed, seconded by Commissioner Benson; motion carried.

APPROVAL OF ACCOUNTS PAYABLE VOUCHERS

- Upon the recommendation of Commissioners' Assistant Jennifer Weston, Commissioner Benson moved to approve the Accounts Payable Vouchers through October 2, 2006 with no exceptions, seconded by Commissioner Shedd; motion carried.

HIGHWAY: Executive Director Opal Kuhl

Encroachment Agreement: South County Line

Ms Kuhl withdrew the Encroachment Agreement from consideration until a later date.

Change Order #2: 2006 Culvert Replacement Project

Ms Kuhl requested approval of Change Order #2 for an additional \$1,443.40 for tree removal at culvert SHL 501.

- Commissioner Shedd moved to approve Change Order #2 for the 2006 Culvert Replacement Project, seconded by Commissioner Benson; motion carried.

Warranty Deed & Temporary Highway Easement Grant: US 52/231 and 300 W Project

Key #134-06600-0387: Part of the NE ¼ of Sec 3, Twp 23 N, R 5 W in Wabash Twp from Domino Group, LLC.

Ms Kuhl explained they are adding right and left turn lanes as well as a thru lane to improve the traffic flow at the corner of US 52 and 300 W for the new Menard's. The Warranty Deed is in the amount of \$52,985 and the Temporary Easement is in the amount of \$2,870.

- Commissioner Shedd moved to accept the Warranty Deed and Temporary Highway Easement Grant from the Domino Group, LLC, seconded by Commissioner Benson; motion carried.

Temporary Highway Easement Grant: US 52/231 and 300 W Project

Key #134-06600-0772: Part of the NE ¼ of Sec 3, Twp 23 N, R 5 W in Wabash Twp from Floyd L. and Joan C. Oaks.

Ms Kuhl said this Temporary Easement in the amount of \$150 is for yard grading and drive construction for the Oaks' property.

- Commissioner Shedd moved to accept the Temporary Highway Easement Grant for the Oaks' property, seconded by Commissioner Benson; motion carried.

Temporary Highway Easement Grant: US 52/231 and 300 W Project

Key #134-06600-0519: Part of the NE ¼ of Sec 3, Twp 23 N, R 5 W in Wabash Twp from Wayne O. and Dixie L. Hayworth.

Ms Kuhl said this Temporary Easement in the amount of \$295 is for yard grading and drive construction for the Hayworth's property.

- Commissioner Shedd moved to accept the Temporary Highway Easement Grant for the Hayworth's property, seconded by Commissioner Benson; motion carried.

Warranty Deed: Bridge #20 Project

Key #110-03800-0116: Parcel 2; Part of the SE ¼ of the SW ¼ of Sec 2, Twp 21 N, R 4 W of the Second Principal Meridian in Lauramie Twp from The Martha M. Rush Revocable Trust, a Trust created pursuant to a certain Revocable Trust Agreement dated the 29th day of August, 2005, or as amended thereafter and Martha M. Rush, Life Estate Interest Only.

Temporary Highway Easement Grant: Bridge #20 Project

Key #110-03800-0292: Parcel 2; Part of the SE ¼ of the SW ¼ of Sec 2, Twp 21 N, R 4 W of the Second Principal Meridian in Lauramie Twp from The Martha M. Rush Revocable Trust, a Trust created pursuant to a certain Revocable Trust Agreement dated the 29th day of August, 2005, or as amended thereafter and Martha M. Rush, Life Estate Interest Only.

Ms Kuhl said this is the final parcel before beginning reconstruction on Bridge #20 that is located south on Concord Road. The Warranty Deed is in the amount of \$465 and the Temporary Easement is in the amount of \$5.

- Commissioner Shedd moved to accept the Warranty Deed and Temporary Highway Easement Grant for Bridge #20 Project, seconded by Commissioner Benson; motion carried.

Street Acceptance: Huntington Farms Ph 3, Sec 2

<u>Street Name</u>	<u>Length Ft.</u>	<u>Road Width</u>	<u>R/W Width</u>	<u>Surface</u>	<u>Type</u>
Man-O-War Drive	608.84	30'	50'	Asphalt	Curb & Gutter
Secretariat Drive	860.02	30'	50'	Asphalt	Curb & Gutter
Charismatic Court	225.00	30'	50'	Asphalt	Curb & Gutter
Chateaugay Court	203.38	30'	50'	Asphalt	Curb & Gutter
Total	1,897.24' = 0.359 Miles		Total Lots: 34 (93-107, 153-171)		

- Commissioner Shedd moved to accept the streets in Huntington Farms Ph 3, Sec 2 into the County Highway System, seconded by Commissioner Benson; motion carried.

Sub-Division Street Maintenance Bond #104738767: \$13,660: Huntington Farms Ph 3, Sec 2: Milestone Contractors, L.P.

- Commissioner Shedd moved to accept Three (3) year Sub-Division Street Maintenance Bond #104738767 in the amount of \$13,660 for concrete curb, aggregate base and asphalt streets for Huntington Farms Ph 3, Sec 2 for Milestone Contractors, L.P., seconded by Commissioner Benson; motion carried.

Continuation Certificate: Bond #6229419: Century Tel of Central Indiana, Inc.

- Commissioner Shedd moved to accept one (1) year Continuation Certificate for Bond #6229419 in the amount of \$5,000 for Century Tel of Central Indiana, Inc., seconded by Commissioner Benson; motion carried.

Maintenance Bond #70148866: Kenny Johnson dba Johnson Excavating

- Commissioner Shedd moved to accept Three (3) year Maintenance Bond #70148866 in the amount of \$5,000 for Kenny Johnson dba Johnson Excavating for work on all County right-of-ways, seconded by Commissioner Benson; motion carried.

Maintenance Bond #3481671 for Earthwork, Erosion Control, and Storm Sewer: Fairfield Contractors, Inc.

- Commissioner Shedd moved to accept Three (3) year Maintenance Bond #3481671 in the amount of \$8,900 for Fairfield Contractors, Inc. for earthwork, erosion control, and storm sewers in Huntington Farms SD, Ph 3, Sec 2 located at Lindberg Road in Wabash Township, seconded by Commissioner Benson; motion carried.

QUESTION & ANSWER SESSION

Since Sheriff William “Smokey” Anderson and Prosecutor Jerry Bean were present, President Knochel invited the Burnett’s Creek students to participate in a short question and answer session. Sheriff Anderson reminded the children that wearing seatbelts is the law and encouraged them to remind their parents to wear their seatbelts.

RESOLUTION 2006-30-CM: A Resolution to Amend the Comprehensive Plan for Tippecanoe County to Include the Multi-Hazard Mitigation Plan of Tippecanoe County 2006: Area Plan Executive Director Sallie Fahey

Resolution 2006-30-CM will appear in its entirety in the Ordinance and Resolution Book in the County Auditor’s Office.

(quote)

September 21 2006
Ref No 06-471

Tippecanoe County Commissioners
20 N 3rd Street
Lafayette IN 47901

CERTIFICATION

RE: COMPREHENSIVE PLAN AMENDMENT -MULTI-HAZARD MITIGATION PLAN

The Mufti-Hazard Mitigation Plan of Tippecanoe County 2006 is a new planning document which

addresses and offers mitigation strategies for natural and manmade hazards effecting (sic) Tippecanoe County.

Dear County Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held September 20, 2006, the Plan Commission, by a vote of 13 yes-0 no, adopted the Multi-Hazard Mitigation Plan for Tippecanoe County, as an amendment to the Comprehensive Plan for Tippecanoe County, and thus recommended it for APPROVAL by the Tippecanoe County Commissioners.

Enclosed is a copy of the Amendment with our staff report as certified by me to the Tippecanoe County Commissioners, and copies, with a staff report for each Board Member.

For the Commissioners to adopt this Comprehensive Plan amendment, they will need to pass the enclosed Resolution and return it to me. At that time I will file the signed Resolution and the plan amendment with the County Recorder as per statute.

If there are questions concerning the above, please contact me.

Sincerely,
/s/Sallie Dell Fahey
Executive Director

(unquote)

Mrs. Fahey explained the Multi-Hazard Mitigation Plan which is a requirement of the federal Disaster Mitigation Act of 2000 which requires communities that participate in the National Flood Insurance Program to prepare a comprehensive document addressing hazards that threaten the community. The plan addresses and offers mitigation strategies for natural and manmade hazards that affect Tippecanoe County. Mrs. Fahey said annual reviews and five year updates will keep the plan current.

- Commissioner Shedd moved to approve Resolution 2006-30-CM, amending the Comprehensive Plan for Tippecanoe County to include the Multi-Hazard Mitigation Plan, seconded by Commissioner Benson; motion carried.

ORDINANCE 2006-23-CM: UZO Amendment #52(Omnibus): Area Plan Executive Director Sallie Fahey

Ordinance 2006-23-CM will appear in its entirety in the Ordinance and Resolution Book in the County Auditor's Office.

(quote)

September 21, 2006
Ref. No.: 06-465

Tippecanoe County Commissioners
20 N. 3rd Street
Lafayette I N 47901

CERTIFICATION

RE: UZO AMENDMENT #52 (OMNIBUS):

An omnibus amendment which includes minor changes to several sections of the ordinance including: Section 2-3 Permitted Use Table, Section 4-9-2

Bufferyard Requirements, Section 4-4-5 Setbacks for structural Projections
and Stoops, Section 1-10-2 Words and Terms Defined, Section 2-28-14 Rural
Estate Additional Requirements, Section 6-2-4 Additional Provisions, and

Dear County Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on September 20, 2006, the Area Plan Commission of Tippecanoe County voted 13 yes - 0 no on the motion to approve the enclosed amendment to the Unified Zoning Ordinance. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed zoning ordinance amendment be approved.

Sincerely,
/s/Sallie Dell Fahey
Executive Director

(unquote)

Mrs. Fahey said most of the changes are technical corrections.

- Commissioner Shedd moved to approve Ordinance 2006-23-CM, seconded by Commissioner Benson.

Auditor Plantenga recorded the vote:

John Knochel	Yes
Ruth Shedd	Yes
KD Benson	Yes

- The motion to approve Ordinance 2006-23-CM passed 3 – 0.

SPONSORSHIP AGREEMENT: Domestic Violence Awareness Month: Prosecutor Jerry Bean

Mr. Bean requested approval to place a Survivors' Tree inside the Courthouse and purple ribbons around the Courthouse for Domestic Violence Awareness Month throughout October 2006.

- Commissioner Shedd moved to approve the sponsorship Agreement for Domestic Violence Awareness Month, seconded by Commissioner Benson; motion carried.

Mr. Bean noted the kick-off will be held today at Ivy Hall at Ivy Tech State College.

SPONSORSHIP AGREEMENT: Lafayette/West Lafayette Christmas Parade: Downtown Business Center

The Downtown Business Center's request to use the north steps of the Courthouse from 8:00 A.M. until 6:00 P.M., December 3, 2006 for the review stand for the Lafayette/West Lafayette Christmas Parade was presented. A Certificate of Liability Insurance was also included.

- Commissioner Shedd moved to accept the Sponsorship Agreement for use of the Courthouse steps for the Christmas Parade on December 3, 2006, seconded by Commissioner Benson; motion carried.

QUOTATION: Certified Insurance Appraisal: Buckland & Associates

- Commissioner Shedd moved to accept the quotation from Buckland & Associates in the amount of \$4,900 for a certified appraisal of the Tippecanoe County Law Enforcement Building (T-1) for the purpose of insurance coverage, seconded by Commissioner Benson; motion carried.

GRANT AGREEMENT: Indiana State Department of Health: Health Department Executive Assistant Ron Cripe

Mr. Cripe explained this is the third year the Indiana State Department of Health has awarded grant money from the Center for Disease Control for the purposes of working on Bio-Terrorism and Pandemic Flu issues. Of the total grant amount of \$55,800, he said \$49,000 will be used to pay salary and benefits for a Local Health Coordinator position and \$6,800 will be used to pay travel and other miscellaneous expenses from September 1, 2006 through August 31, 2007. Because this position is currently vacant and long-term funding is uncertain, Mr. Cripe said he would prefer hiring a person on a contractual basis.

- Commissioner Shedd moved to approve the Grant Agreement with the Indiana State Department of Health in the amount of \$55,800, seconded by Commissioner Benson; motion carried.

ELECTION CONTRACT: Board of Election & Registration: Co-Director Laurie Wilson

Mrs. Wilson requested approval of the Election Contract for poll workers for the November 7, 2006 General Election. The pay for the positions is as follows:

Inspector	\$145		
Republican Judge	\$115	Democrat Judge	\$120
Republican Clerk	\$115	Democrat Clerk	\$115

- Commissioner Shedd moved to approve the Election Contract for the November 7, 2006 General Election, seconded by Commissioner Benson; motion carried.

CASA: Director Colleen Hamrick

Mrs. Hamrick apprised the Commissioners that she applied for a State CASA Grant in the amount of \$42,343 to fund a full time position and a part-time position to recruit, train, and supervise CASA volunteers. She said she received notification that the application passed the first round but any funding will be at the \$30,000 level or less.

Commissioner Shedd noted this is a new job description that will need to be classified by Wagner, Irwin, & Scheele. President Knochel gave Mrs. Hamrick permission to proceed with this process while she is waiting for results on her application.

DARK FIBER LEASE AGREEMENT: First Amendment: MITS Executive Director Diane Hawkins

Mrs. Hawkins requested approval of the first amendment to the Dark Fiber Lease Agreement with Indiana Datapipe, LLC for installation of a fiber route from the 629 Building to the Tippecanoe County Jail. The cost for this leg is \$81,000 and an annual maintenance of \$350.

- Commissioner Shedd moved to approve the First Amendment to the Dark Fiber Lease Agreement with Indiana Datapipe, LLC in the amount of \$81,000, seconded by Commissioner Benson; motion carried.

HOMELAND SECURITY SUB-GRANT AGREEMENT: TEMA: Grant Coordinator Christine Chapman

Mrs. Chapman presented the Homeland Security Sub-Grant Agreement that includes two grants awarded to Emergency Management (TEMA). The grant in the amount of \$11,250 will purchase ten (10) laptop computers that will be distributed to Fire Department First Responders. The second grant in the amount of \$17,930.32 for Courthouse security will be used to purchase one (1) metal detector, forty one (41) window alarms for the first floor, and ten (10) cameras.

- Commissioner Shedd moved to approve the two Homeland Security Grants in the amounts of \$17,930.32 and \$11,250, seconded by Commissioner Benson; motion carried.

DEDICATION CERTIFICATE: Maple Point Subdivision

Attorney Luhman explained this is a Dedication Certificate for the plat of Maple Point Subdivision, the Menard's location on Creasy Lane across from Ivy Tech, and Outlot A serves as an easement for ingress and egress into their parking lot. Between 1996 and 2000, the County and the City of Lafayette traded small parcels of real estate to clean up drainage easements and roadway right-of-ways because of annexation. In that process, this parcel was transferred to the City and then back to the County during which time the Menard's property was developed. The Lafayette Redevelopment Commission signed the original Dedication Certificate for Outlot A when it was in the City's name. Since it is now in the County's name, this Dedication Certificate from the Commissioners will allow them to file the final plat of the Maple Point Subdivision and maintain the driveway into Menard's.

- Commissioner Shedd moved to approve the Dedication Certificate between Tippecanoe County and Maple Point Subdivision, seconded by Commissioner Benson; motion carried.

VILLA APPLICATION

- Commissioner Shedd moved to approve the application of Catherine Jackson to the Tippecanoe Villa, seconded by Commissioner Benson; motion carried.

NEW BUSINESS

Rental Agreement: Ecolab, Inc.: Villa Director Deanna Sieber

Mrs. Sieber explained she dropped the housekeeping and laundry service agreement with Ecolab because she found a more competitive price but renegotiated a year to year lease for the commercial dishwasher. The dishwasher lease, including maintenance, will cost \$69.95 per month plus \$100 per month minimum for the necessary chemical products. They previously had a \$500 minimum for chemical products.

- Commissioner Shedd moved to approve the Rental Agreement with Ecolab, Inc. for the commercial dishwasher plus the purchase of the chemical products, seconded by Commissioner Benson; motion carried.

REPORTS

Reports from Weights & Measures, Clerk of the Circuit Court, and Parks & Recreation Board are on file in the Commissioners' Office for review.

PUBLIC COMMENT

None.

ADJOURNMENT

Commissioner Shedd moved to adjourn, seconded by Commissioner Benson; motion carried.

BOARD OF COMMISSIONERS OF THE COUNTY OF TIPPECANOE

John L. Knochel, President

Ruth E. Shedd, Vice President

KD Benson, Member

ATTEST:

Robert A. Plantenga, Auditor